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"I will stand for my client's rights.
I am a trial lawyer."
-Ron Motley (1944-2013)

Application GRANTED. The surreply may not exceed 5 pages.
The Clerk of Court is directed to docket this letter in 14-MD-2589 and 14-CV-2811.

May 19, 2015

VIA ECF

The Honorable Jesse M. Furman
United States District Court for the
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, N.Y. 10007

SO ORDERED.

May 20, 2015

Re: *City of Providence et al. v. BATS Global Markets, Inc. et al.*,
Civil Action No. 1:14-cv-02811-JMF (Consolidated)

Dear Judge Furman:

We write on behalf of Plaintiffs and Co-Lead Counsel in the above-referenced consolidated action. Pursuant to this Court's *Individual Rules and Practices in Civil Cases* 3(d), we respectfully request permission to submit a Sur-Reply memorandum of law, by no later than May 22, 2015, in the pending motions to dismiss. Defendants submitted their memorandum in support of their motions to dismiss on January 23, 2015, Plaintiffs submitted their response on March 24, 2015, and Defendants' replies were filed on May 8, 2015.

We make this request because the Exchange Defendants for the first time raised in their reply memorandum (and extensively cite to) an opinion by Judge Forrest issued on April 28, 2015, *Lanier v. BATS Exchange Inc.*, Nos. 14-cv-3745, -3865 and -3866, 2015 WL 1914446 (S.D.N.Y. Apr. 28, 2015). Plaintiffs request the opportunity to address this recent decision. Additionally, with respect to the Barclays Defendants, Plaintiffs wish to address an April 24, 2015 ruling by Judge Scheindlin, *Strougo v. Barclays PLC*, No. 14-cv-5797 (SAS), 2015 WL 1883201 (S.D.N.Y. Apr. 24, 2015), wherein the Court denied in part Barclays' motion to dismiss certain securities fraud claims related to public statements made concerning Barclays' LX dark pool. Lastly, Plaintiffs would like to very briefly address recent proceedings before the U.S. Securities and Exchange Commission concerning the same proprietary data feeds at issue in this consolidated action.

I will gladly make myself available should Your Honor require additional information.

As I am,

Sincerely,

Joseph F. Rice